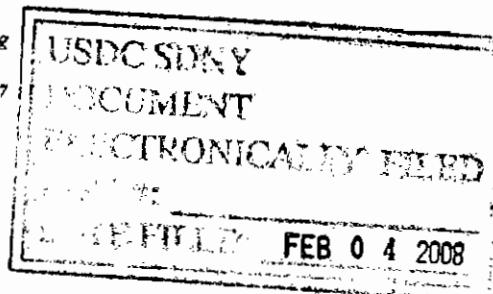




United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

January 31, 2008



By Facsimile

Honorable Laura T. Swain
United States District Court
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: United States v. Manuel Fernandez
07 Cr. 1069 (LTS)

Dear Judge Swain:

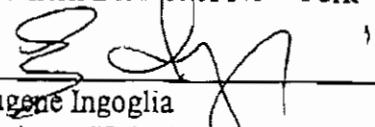
The Government writes to respectfully request, jointly with defense counsel, that the conference currently scheduled for February 4, 2008, at 2:00 p.m., be adjourned until a date convenient for the Court after March 10, 2008.

The Government requests that time be excluded for purposes of the Speedy Trial Act between February 4, 2008 and the new conference date. During this time, the defense will review discovery produced by the Government, and the parties will continue to discuss a possible resolution of the matter without need for trial. The Government makes this request with the consent of counsel for the defendant.

Very truly yours,

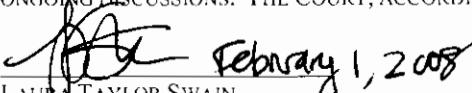
MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By:


Eugene Ingoglia
Assistant United States Attorney
(212) 637-1113

cc: David Austin, Esq. (By facsimile)

THE REQUESTED ADJOURNMENT AND EXCLUSION ARE GRANTED. THE CONFERENCE IS ADJOURNED TO **MARCH 14, 2008, AT 2:15 P.M.** THE COURT FINDS THAT THE ENDS OF JUSTICE SERVED BY THE GRANTING OF AN EXCLUSION FROM SPEEDY TRIAL COMPUTATIONS FOR THE PERIOD FROM TODAY'S DATE THROUGH MARCH 14, 2008, OUTWEIGH THE BEST INTERESTS OF THE PUBLIC AND THE DEFENDANT IN A SPEEDY TRIAL BECAUSE OF THE NEED FOR REASONABLE TIME FOR EFFECTIVE TRIAL PREPARATION AND ONGOING DISCUSSIONS. THE COURT, ACCORDINGLY, EXCLUDES SUCH TIME PERIOD PROSPECTIVELY. SO ORDERED.


LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE